



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,548	01/17/2002	Jan Peter Janssen	1731	7095

7590

04/05/2004

Michale J. Striker
Striker Striker & Stenby
103 East Neck Road
Huntington, NY 11743

EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT	PAPER NUMBER
----------	--------------

2675

8

DATE MAILED: 04/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/936,548

Applicant(s)

JANSSEN, JAN PETER

Examiner

Srilakshmi K. Kumar

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The following office action is in response to the request for reconsideration filed January 19, 2004.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott et al (US 6,272,562) in view of Scott et al (US 6,263,090) (known hereafter as Scott '090).

As to independent claim 1, Scott et al disclose a device for information input and/or output (Fig. 1, item 100), wherein the device has a processor (Fig. 2, item 210, col. 4, lines 20) and a display with a touch sensitive layer (Fig. 1, item 108, fingerprint scanner), wherein the display has operator control elements and information fields (Fig. 1), and wherein the device is connected to a communications network by means of a communications module that is connected to the processor (col. 4, lines 18-50); Scott et al discloses recessed mounting in Fig. 1, where item 108 is recessed. Scott et al does not disclose wherein the device is embodied such that the device fits into a frame that is suitable for a surface mounted socket. Scott '090 discloses in Figs. 1 wherein the device is suitable for a surface mount socket. It would have been obvious to one of ordinary skill in the art that the fingerprint scanner of Scott '090 could have been mounted on the surface as it discloses a flat, framed shape.

Art Unit: 2675

As to dependent claim 2, limitations of claim 1, and further comprising, characterized in that the recessed and surface mounted socket has a minimum internal size of 54 mm and/or a mounting hole spacing of 60 or 60.3 or 83 mm. Although Scott et al and Scott '090 do not disclose where the recessed and surface mounted socket has a minimum size or mounting hole, it would have been obvious to one of ordinary skill in the art that the systems could have been altered in order to adapt to different sizes as they could be made to be of any size.

As to dependent claim 3, limitations of claim 1, and further comprising, wherein the device has a maximum structural height of 12 mm. Although Scott et al and Scott '090 do not disclose maximum height; it would have been obvious to one of ordinary skill in the art that they could have been made of any size.

As to dependent claim 4, limitations of claim 3, and further comprising, a light is placed behind the display, and that the light has a plastic film with a diffusion coating and an optical fiber waveguide connection. Scott et al does not disclose where a light is placed behind the display and that the light has a plastic film with a diffusion coating and an optical fiber waveguide connection. Scott '090 discloses a fingerprint scanner portion having a housing with an upper surface having the fingerprint scanner plate. The finger is placed on the scanner plate and illuminated by an LED light source of certain spectral characteristics through the lens into the bottom of the prism (Fig. 2, col. 1, line 66-col. 2, lines 50). It would have been obvious to one of ordinary skill in the art that the fingerprint scanner of Scott et al could have been adapted to incorporate that of Scott '090 as Scott et al does disclose instrumentation to capture the fingerprint, but does not discuss in detail what the instrumentation would have been, therefore

Art Unit: 2675

the system could have been that of Scott '090 which would have been advantageous as the system is clear and very concise deriving a quality image.

As to dependent claim 5, limitations of claim 4, and further comprising, wherein the display is a liquid crystal display. Although the display is not explicitly stated to be one of an LCD, it would have been obvious to one of ordinary skill in the art that an LCD could have been incorporated as they produce higher resolution images.

As to dependent claim 6, limitations of claim 1, and further comprising, wherein the communications module communicates with the communications network constantly or at intervals (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 7, limitations of claim 1, and further comprising, wherein the communications module communicates with the communications network in wireless or hard wired fashion (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 8, limitations of claim 1, and further comprising, wherein the operator control elements and information fields shown by the display are programmable, and a time interval between a reprogramming of the operator control elements and information fields is specified (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 9, limitations of claim 8, and further comprising, wherein the processor rearranges the operator control elements and information fields shown by the display at predetermined time intervals on the principle of randomness (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 10, limitations of claim 1, and further comprising, wherein the processor allows a configuration in which the processor offers respective configuration menus

Art Unit: 2675

for use in the area of efficiency, physical access control, security technology and building installation practice (col. 8, lines 32-67).

As to dependent claim 11, limitations of claim 1, and further comprising, wherein the device has a fingerprint sensor (Fig. 1, item 108).

As to dependent claim 12, limitations of claim 1, and further comprising, wherein the device of the invention has a card reader (Fig. 2, daughter card).

Response to Arguments

3. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Srilakshmi K. Kumar** whose telephone number is **(703) 306 5575**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Saras, can be reached at (703) 305-9720.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Art Unit: 2675

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703 305 47000377.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 703 306 5575.

The examiner can normally be reached on 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven J. Saras can be reached on 703 305 9720. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 4700.

Srilakshmi K. Kumar
Examiner
Art Unit 2675

SKK
September 20, 2003


DENNIS-DOON CHOW
PRIMARY EXAMINER